

Message Text

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TO USMISSION GENEVA IMMEDIATE

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E.O. 11652: GDS

TAGS: CSCE

SUBJECT: CSCE TEXTS ON ACCESS TO FILMED AND BROADCAST
INFORMATION AND WORKING CONDITIONS FOR JOURNALISTS

REFS: A) GENEVA 6298; B) GENEVA 6561; C) GENEVA 6344

GENEVA FOR USDEL CSCE

1. DEPARTMENT CAN AGREE TO WESTERN TEXTS ON ACCESS TO
FILMED AND BROADCAST INFORMATION AND WORKING CONDITIONS FOR
JOURNALISTS (REFS A AND B), AS PRESENTLY CONSTITUTED. WE
RECOGNIZE THEY ARE CONSEQUENCE OF CONSIDERABLE COMPROMISE
AND SUBJECT TO STILL FURTHER CHANGE IN FORTHCOMING
NEGOTIATION. FOR EXAMPLE, IT IS ALREADY OBVIOUS THAT
SOVIET OBJECTIONS WILL PREVENT ACCEPTANCE OF THE CURRENT
TEXTS INTACT.

2. DESPITE THE GENERALLY ACCEPTABLE NATURE OF THE TEXTS,
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WE HAVE THE FOLLOWING ADDITIONAL OBSERVATIONS.

A. ALTHOUGH WE ASSUME THE FINAL NATURE OF CSCE TEXTS WILL BE NON-BINDING, THE TEXT ON FILMED AND BROADCAST INFORMATION IS CAST IN TERMS ("WILL FACILITATE," "WILL ENCOURAGE") THAT SEEM TO PROMISE POSITIVE USG ACTION. WE MUST CONSEQUENTLY INTERPRET A PLEDGE "TO FACILITATE" AS ONE TO TAKE APPROPRIATE ACTION, IF ANY, WITHIN THE PRESENT COMPETENCE

OF THE EXECUTIVE BRANCH AS IT IS DOUBTFUL THAT THE USG WILL BE IN A POSITION TO TAKE ADDITIONAL ACTION TO IMPLEMENT THE CSCE RESOLUTIONS.

B. THE SOVIET TEXT ON RADIO JAMMING (REF C) CONTAINS CERTAIN USEFUL LANGUAGE. THE OPENING PHRASE ("THE PARTICIPATING STATES NOTE THE BROADENING OF THE DISSEMINATION OF RADIO INFORMATION...") MIGHT BE INCLUDED IN THE WESTERN PROPOSAL ON ACCESS TO FILMED AND BROADCAST INFORMATION PRIOR TO WHATEVER LANGUAGE ON THE NATURE OF THE OBLIGATION IS ULTIMATELY ACCEPTED.

C. THE TEXT ON WORKING CONDITIONS FOR JOURNALISTS PRESENTS NO LEGAL DIFFICULTIES. WE ASSUME, HOWEVER, THAT IN STATES SUCH AS THE US WHERE THERE IS VIRTUALLY FULL FREEDOM TO TRAVEL FOR JOURNALISTS, NO ADDITIONAL ACTION WILL BE REQUIRED TO GRANT "GREATER FREEDOM TO TRAVEL." AN IMPORTANT WEAKNESS OF THE TEXT, HOWEVER, IS THE REPEATED QUALIFICATION THAT JOURNALISTIC "PROFESSIONAL ACTIVITY" MUST BE "LEGITIMATE." THIS COULD OBVIOUSLY BE TRANSLATED IN EXTREMELY RESTRICTIVE FASHION. USDEL SHOULD CONSIDER EFFORT TO SUBSTITUTE "NORMAL" FOR "LEGITIMATE" OR PERHAPS SIMPLY DELETE "LEGITIMATE" NOTING ONLY "PROFESSIONAL ACTIVITIES" AS DOES THE FINAL POINT IN CURRENT DRAFT. THIS MOVE COULD BE EXPLAINED BY NOTING THAT "LEGITIMATE PROFESSIONAL ACTIVITIES" IS REDUNDANT AS ILLEGITIMATE JOURNALISTIC ACTIVITY WOULD NOT BE "PROFESSIONAL."

D. ADDITIONALLY, THERE IS SOME FEELING THAT THE TEXT ON WORKING CONDITIONS FOR JOURNALISTS IS WEIGHTED IN FAVOR OF RESIDENT NEWSMEN AND DOES NOT ADEQUATELY COME TO GRIPS WITH THE INCREASINGLY FREQUENT PHENOMENON OF TRAVELING

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JOURNALISTS WHO ATTEMPT TO COVER SEVERAL STATES SIMULTANEOUSLY OR WHO PLAN ONLY A SHORT TRIP TO A SINGLE COUNTRY FOR A "FEATURE." STATE IMPOSED REQUIREMENTS FOR GUIDE, CHAUFFEUR AND INTERPRETER (A FREQUENT DEVICE OF THE GDR) CAN SKYROCKET A JOURNALIST'S EXPENSES FORMING AS EFFECTIVE A BARRIER TO CONTACT AS WOULD DENIAL OF A VISA. ALTHOUGH DEPARTMENT HAS NO LANGUAGE AT THIS TIME TO RECTIFY THE WEAKNESS, USDEL SHOULD DISCUSS WITH OTHER

DELEGATIONS HOW PRESENT LANGUAGE MIGHT BE STRETCHED TO
DEVELOP A SUITABLE "UNDERSTANDING" THAT SHORT TOUR
JOURNALISTS SHOULD ALSO BE ABLE TO OBTAIN LESS ENCUMBERED
ACCESS TO PACT SOCIETIES. INGERSOLL

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